

ITEM NO.63+68

COURT NO.3

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s). 622/2024

DR. SUBRAMANIAN SWAMY

Petitioner(s)

VERSUS

THE STATE OF ANDHRA PRADESH & ORS.

Respondent(s)

(FOR ADMISSION and IA No. 222573/2024 - PERMISSION TO APPEAR AND ARGUE IN PERSON)

WITH

W.P.(C) No. 628/2024 (PIL-W)
(FOR ADMISSION)

W.P.(C) No. 630/2024 (PIL-W)
(FOR ADMISSION)

W.P.(C) No(s). 645/2024

Date : 30-09-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s)

Mr. Rajshekher Rao, Sr. Adv.
Mr. Ajay Agarwal, Adv.
Ms. Sonali Jain, AOR

Ms. Sonia Mathur, Sr. Adv
Mr. Satyam Singh, Adv.
Mr. Rajiv Ranjan, Adv.
Mr. Sanjeev Gupta, Adv.
Ms. Mudabbera Zaheen, Adv.
Mr. Shivam Singh, Adv.
Mr. Rishikesh Kumar, Adv.
Ms. Dipanshu Krushna, Adv.
Ms. Ronika Taker, Adv.
Ms. Vipasha Jain, Adv.
Mr. Alok Kumar, Adv.
Mr. Gunjan Kumar, Adv.
Mr. Nikhil Beniwal, AOR

Mr. Mukesh Sharma, Adv.

Mr. Ragav Awasthi, Adv.
Mr. Dinesh Sharma, Adv.
Mr. Mohit Nagar, Adv.
Mr. Gurrick Jassar, Adv.
Mr. Deepak Singh, Adv.
Mr. Anurag Pandey, Adv.
Mr. Akash, Adv.
Mr. Mukesh Kumar, Adv.
Mr. Ashish Pandey, AOR
Mr. Sarjan Shankar Kulshreshta, Adv.

Petitioner-in-person

Ms. Baani Khanna, AOR
Mr. Robin Singh, Adv.
Ms. Palak Bishnoi, Adv.
Mr. Rohit Kumar, Adv.
Mr. Govinda Choudhary, Adv.

For Respondent(s)

Mr. Mukul Rohatgi, Sr. Adv.
Mr. Sidharth Luthra, Sr. Adv.
Mr. Siddharth Agarwal, Sr. Adv.
Mr. D. Srinivas, A.G.
Mr. Guntur Pramod Kumar AOR
Mr. Dhruv Yadav, Adv.
Ms. Prerna Singh, Adv.
Mr. Samarth Luthra, Adv.
Mr. Keshav Singh, Adv.
Mr. Anmol Kheta, Adv.
Ms. Rajni Gupta, Adv.

**UPON hearing the counsel the Court made the following
O R D E R**

1. The present writ petitions pertain to an issue which affects the sentiments of crores of people living in the entire world.
2. The Chief Minister of Andhra Pradesh had gone in public making a statement on 18.09.2024 that ghee containing animal fat was being used to make prasadam laddus at Tirupati Tirumala under previous regime.

3. However, some press reports also show that the Executive Officer of the Tirumala Tirupati Devasthanam Trust (for short 'TTD') had made a statement to the contrary that adulterated ghee was never used.

4. Four writ petitions have been filed seeking various prayers, *inter alia*, including an independent enquiry and directions for establishing regulatory frameworks with respect to the religious trust and specifically the preparation of the prasadam.

5. Shri Sidharth Luthra, learned senior counsel appearing for the TTD submitted that the ghee which was supplied in the tankers in June, 2024 upto 04.07.2024, were not sent for analysis pertaining to the adulteration.

6. He submitted that it is only the ghee received in the two tankers supplied on 06.07.2024 and in the two tankers supplied on 12.07.2024 which were supplied by the same supplier, that were sent to the National Dairy Development Board's Centre for Analysis and Learning in Livestock and Food (for short 'NDDB CALF'). He submits that in all the four samples, the ghee was found to be adulterated.

7. It is submitted that the statement made by the Executive Officer to the effect that adulterated ghee was never used to prepare laddus is only with regard to the tankers which were supplied on 06.07.2024 and 12.07.2024. It is submitted that

the ghee in the tankers supplied by the same supplier previously in June, 2024 upto 04.07.2024 was used for the preparation of the laddus.

8. He further submitted that since the earlier ghee supplied was found to be contaminated inasmuch as the laddus were tasting bad, it was found necessary to get the sample taken from the subsequent supply of ghee by the same supplier analyzed by the NDDB CALF to check adulteration.

9. Admittedly, even according to the State Government, an investigation of the matter was necessary and as such, an SIT came to be appointed on 26.9.2024 to investigate the FIR dated 25.09.2024.

10. It could thus be seen that a statement was made by the Chief Minister on 18.09.2024, which was even prior to the FIR being lodged on 25.09.2024 and the SIT being constituted on 26.09.2024.

11. We are, *prima facie*, of the view that it was not appropriate on the part of a high constitutional functionary to go in public to make a statement which can affect the sentiment of crores of people and when investigation to find out adulterated ghee was used to make laddus was underway.

12. In that view of the matter, we find that it will be appropriate that Shri Tushar Mehta, learned Solicitor General assist us in deciding as to whether the investigation by an

SIT which was appointed by the State Government should continue or the investigation should be conducted by an independent agency.

13. We request the learned Solicitor General to place his point of view and assist this Court in this regard on 03.10.2024.

14. We direct that the matters be kept on 03.10.2024 at 03:30 p.m. as part heard.

(DEEPAK SINGH)
ASTT. REGISTRAR-cum-PS

(ANJU KAPOOR)
COURT MASTER (NSH)